

AMENDED IN ASSEMBLY MAY 27, 2016

AMENDED IN ASSEMBLY APRIL 11, 2016

AMENDED IN ASSEMBLY MARCH 30, 2016

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

ASSEMBLY BILL

No. 2485

Introduced by Assembly Member Santiago

February 19, 2016

~~An act to repeal Article 9.5 (commencing with Section 1970) of Chapter 4 of Division 2 of the Business and Professions Code, and to amend Section 128345 of, and to add Article 7 (commencing with Section 128587) to Chapter 5 of Part 3 of Division 107 of, the Health and Safety Code, relating to dentistry. An act to amend Sections 1970, 1970.5, and 1973 of, to amend and repeal Section 1976 of, and to repeal and add Sections 1971, 1972, and 1975 of, the Business and Professions Code, relating to dentistry.~~

LEGISLATIVE COUNSEL'S DIGEST

AB 2485, as amended, Santiago. Dental Corps Loan Repayment Program.

Under the Dental Practice Act, the Dental Board of California is responsible for the licensure and regulation of dentists. Existing law establishes the Dental Corps Loan Repayment Program of 2002 to assist dentists who practice in an underserved area with loan repayment pursuant to an agreement between the board and the dentist, as specified. Existing law governs eligibility, application, selection, placement, and repayment for the program, and authorizes the board to adopt standards to implement the program relating to eligibility, placement, and termination. Existing law creates the Dentally

Underserved Account within the State Dentistry Fund and moneys in the account are continuously appropriated for purposes of the program.

This bill would require that the program be known as the California Dental Corps Loan Repayment Program and would revise program provisions regarding eligibility, application, selection, placement, and repayment. The bill would establish specific grounds for termination and would authorize the board to require the repayment of loans or grants in the case of termination. Among other new program requirements, applicants would be required to sign the agreement with the board under penalty of perjury and to provide annual progress reports, signed under penalty of perjury by both the applicant and employer, thereby imposing a state-mandated local program by creating new crimes.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

~~Existing law establishes the Dental Corps Loan Repayment Program of 2002 within the Dental Board of California. Existing law creates the Dentally Underserved Account within the State Dentistry Fund. The program assists dentists who practice in an underserved area with loan repayment pursuant to an agreement between the board and the dentist, as specified.~~

~~This bill would repeal those provisions and instead transfer the authority to implement the program to the Health Professions Education Foundation within the Office of Statewide Health Planning and Development and would rename the account the Dental Corps Loan Repayment Account. The bill would make funds in the account available, upon appropriation by the Legislature, for purposes of the program. The bill would require the foundation to submit a report to the Dental Board of California and the Legislature by July 1, 2018. The bill would make related findings and declarations.~~

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: ~~no~~ yes.

The people of the State of California do enact as follows:

1 *SECTION 1. It is the intent of the Legislature that the changes*
2 *made by this act are comprehensive, and that regulations do not*
3 *need to be promulgated by the Dental Board of California to*
4 *implement the changes made by this act.*

5 *SEC. 2. Section 1970 of the Business and Professions Code is*
6 *amended to read:*

7 1970. There is hereby established in the Dental Board of
8 California the Dental Corps Loan Repayment Program of 2002,
9 which shall become operative on January 1, 2003. This program
10 shall be known and may be cited as the California Dental Corps
11 Loan Repayment ~~Program of 2002.~~ *Program.*

12 *SEC. 3. Section 1970.5 of the Business and Professions Code*
13 *is amended to read:*

14 1970.5. It is the intent of the this article that the Dental Board
15 of California, in consultation with the Office of Statewide Health
16 Planning and Development, the dental community, including ethnic
17 representatives, dental schools, health advocates representing ethnic
18 communities, primary care clinics, public hospitals and health
19 systems, statewide agencies administering state and federally
20 funded programs targeting underserved communities, and members
21 of the public with health care issue-area expertise shall develop
22 and California implement the California Dental Corps Loan
23 Repayment ~~Program of 2002.~~ *Program.*

24 *SEC. 4. Section 1971 of the Business and Professions Code is*
25 *repealed.*

26 1971. For the purposes of this article, the following terms have
27 the following meanings:

28 (a) ~~“Board” means the Dental Board of California.~~

29 (b) ~~“Office” means the Office of Statewide Health Planning and~~
30 ~~Development.~~

31 (c) ~~“Program” means the California Dental Corps Loan~~
32 ~~Repayment Program.~~

33 (d) ~~“Dentally underserved area” means a geographic area eligible~~
34 ~~to be designated as having a shortage of dental professionals~~
35 ~~pursuant to Part I of Appendix B to Part 5 of Chapter 1 of Title 42~~
36 ~~of the Code of Federal Regulations or an area of the state where~~
37 ~~unmet priority needs for dentists exist as determined by the~~

~~California Healthcare Workforce Policy Commission pursuant to Section 128224 of the Health and Safety Code.~~

~~(e) “Dentally underserved population” means persons without dental insurance and persons eligible for the Denti-Cal and Healthy Families Programs who are population groups described as having a shortage of dental care professionals in Part I of Appendix B to Part 5 of Chapter 1 of Title 42 of the Code of Federal Regulations.~~

~~(f) “Practice setting” means either of the following:~~

~~(1) A community clinic, as defined in subdivision (a) of Section 1204 and subdivision (c) of Section 1206 of the Health and Safety Code, a clinic owned or operated by a public hospital and health system, or a clinic owned and operated by a hospital that maintains the primary contract with a county government to fulfill the county’s role pursuant to Section 17000 of the Welfare and Institutions Code, which is located in a dentally underserved area and at least 50 percent of whose patients are from a dentally underserved population.~~

~~(2) A dental practice or dental corporation, as defined in Section 1800 of this code, located in a dentally underserved area and at least 50 percent of whose patients are from a dentally underserved population.~~

~~(g) “Medi-Cal threshold languages” means primary languages spoken by limited-English-proficient (LEP) population groups meeting a numeric threshold of 3,000, eligible LEP Medi-Cal beneficiaries residing in a county, 1,000 Medi-Cal eligible LEP beneficiaries residing in a single ZIP Code, or 1,500 LEP Medi-Cal beneficiaries residing in two contiguous ZIP Codes.~~

~~(h) “Fund” means the State Dentistry Fund.~~

~~(i) “Account” means the Dentally Underserved Account which is contained within the fund.~~

SEC. 5. Section 1971 is added to the Business and Professions Code, to read:

1971. As used in this article:

(a) “Account” means the Dentally Underserved Account established in Section 1973, which is contained within the fund.

(b) “Board” means the Dental Board of California.

(c) “Dentally underserved area” means a geographic area eligible to be designated as having a shortage of dental professionals pursuant to Part I of Appendix B to Part 5 of Chapter 1 of Title 42 of the Code of Federal Regulations or an area of the

1 *state in which unmet priority needs for dentists exist as determined*
2 *by the California Healthcare Workforce Policy Commission*
3 *pursuant to Section 128224 of the Health and Safety Code.*

4 (d) *“Dentally underserved population” means persons without*
5 *dental insurance and persons eligible for Denti-Cal who are*
6 *population groups described as having a shortage of dental care*
7 *professionals in Part I of Appendix B to Part 5 of Chapter 1 of*
8 *Title 42 of the Code of Federal Regulations.*

9 (e) *“Fund” means the State Dentistry Fund.*

10 (f) *“Medi-Cal threshold languages” means primary languages*
11 *spoken by limited-English-proficient (LEP) population groups*
12 *meeting a numeric threshold of 3,000 eligible LEP Medi-Cal*
13 *beneficiaries residing in a county, 1,000 Medi-Cal eligible LEP*
14 *beneficiaries residing in a single ZIP Code, or 1,500 LEP Medi-Cal*
15 *beneficiaries residing in two contiguous ZIP Codes.*

16 (g) *“Office” means the Office of Statewide Health Planning*
17 *and Development.*

18 (h) *“Program” means the California Dental Corps Loan*
19 *Repayment Program.*

20 (i) *“Practice setting” means either of the following:*

21 (1) *A community clinic, as defined in subdivision (a) of Section*
22 *1204 and subdivision (c) of Section 1206 of the Health and Safety*
23 *Code, a clinic owned or operated by a public hospital and health*
24 *system, or a clinic owned and operated by a hospital that maintains*
25 *the primary contract with a county government to fulfill the*
26 *county’s role pursuant to Section 17000 of the Welfare and*
27 *Institutions Code, which is located in a dentally underserved area*
28 *and at least 50 percent of whose patients are from a dentally*
29 *underserved population.*

30 (2) *A dental practice or dental corporation, as defined in Section*
31 *1800, located in a dentally underserved area and at least 50*
32 *percent of whose patients are from a dentally underserved*
33 *population.*

34 SEC. 6. *Section 1972 of the Business and Professions Code is*
35 *repealed.*

36 ~~1972. (a) Program applicants shall possess a current valid~~
37 ~~license to practice dentistry in this state issued by the board~~
38 ~~pursuant to Section 1626.~~

39 ~~(b) The board, in accordance with Section 1970.5, shall develop~~
40 ~~the guidelines for selection and placement of applicants.~~

- 1 ~~(1) Guidelines shall provide priority consideration to applicants~~
2 ~~who are best suited to meet the cultural and linguistic needs and~~
3 ~~demands of dentally underserved populations and that meet one~~
4 ~~or more of the following criteria:~~
5 ~~(A) Speak a Medi-Cal threshold language.~~
6 ~~(B) Come from an economically disadvantaged background.~~
7 ~~(C) Have received significant training in cultural and~~
8 ~~linguistically appropriate service delivery.~~
9 ~~(D) Have worked with dentally underserved communities for~~
10 ~~at least three years.~~
11 ~~(E) Recently received a license to practice dentistry.~~
12 ~~(2) The guidelines shall include a process for determining the~~
13 ~~needs for dentist services identified by the practice setting. At a~~
14 ~~minimum, the practice setting shall meet the following criteria:~~
15 ~~(A) The practice setting shall be located in a dentally~~
16 ~~underserved area.~~
17 ~~(B) The practice setting shall ensure that the program participant~~
18 ~~serves a patient population that consists of at least 50 percent~~
19 ~~dentally underserved populations.~~
20 ~~(3) Guidelines shall seek to place the most qualified applicants~~
21 ~~under this section in the areas with the greatest need.~~
22 ~~(4) Guidelines shall include a factor ensuring geographic~~
23 ~~distribution of placements.~~
24 ~~(e) Program applicants shall be working in or have a signed~~
25 ~~agreement with an eligible practice setting. The program participant~~
26 ~~shall have full-time status. Full-time status shall be defined by the~~
27 ~~board, and the board may establish exemptions to this requirement~~
28 ~~on a case-by-case basis.~~
29 ~~(d) Program participants shall commit to a minimum of three~~
30 ~~years of service in a dentally underserved area. The board, in~~
31 ~~accordance with Section 1970.5, shall develop the process for~~
32 ~~determining the maximum length of an absence and the process~~
33 ~~for reinstatement. Loan repayment shall be deferred until the dentist~~
34 ~~is back to full-time status.~~
35 ~~(e) The board, in accordance with Section 1970.5, shall develop~~
36 ~~the process if a dentist is not able to complete his or her three-year~~
37 ~~obligation.~~
38 ~~(f) The board, in accordance with Section 1970.5, shall develop~~
39 ~~a process for outreach to potentially eligible applicants.~~

1 ~~(g) The board may adopt any other standards of eligibility,~~
2 ~~placement and termination appropriate to achieve the aim of~~
3 ~~providing competent dental services in these approved practice~~
4 ~~settings.~~

5 SEC. 7. *Section 1972 is added to the Business and Professions*
6 *Code, to read:*

7 1972. (a) (1) *A program applicant shall possess a current*
8 *valid license to practice dentistry in this state issued by the board*
9 *pursuant to Section 1626 within the five years immediately prior*
10 *to application for the program, or be currently eligible for*
11 *graduation from a predoctoral or postdoctoral dental education*
12 *program approved by the Commission on Dental Accreditation or*
13 *the board and meet all criteria for licensure, subject to successful*
14 *completion of applicable education and examination requirements.*

15 (2) *An applicant shall submit documentation detailing current*
16 *loan obligations from any government or commercial lender*
17 *obtained for purposes of financing tuition or fees at a dental school*
18 *approved by the Commission on Dental Accreditation or the board.*
19 *Documentation shall contain the applicant's account number and*
20 *the lender's contact information, as well as current balance owing*
21 *and monthly installment plan details, if applicable.*

22 (3) *An application shall include disclosure of any and all*
23 *obligations for which the applicant has defaulted or been subject*
24 *to a judgment lien within the last 10 years, and explanations for*
25 *each default or judgment lien disclosed.*

26 (4) *An applicant, if selected to receive a repayment grant, shall*
27 *sign an agreement with the board, under penalty of perjury, to*
28 *maintain qualified employment for 36 months continuously, and*
29 *that the qualified employment meets or will meet the minimum*
30 *requirements of the program regarding practice setting, clinical*
31 *hours worked, and population served.*

32 (5) *An applicant shall also agree to provide an annual progress*
33 *report, signed under penalty of perjury by both the applicant and*
34 *employer or employer's designee. A progress report shall verify*
35 *the practice setting's qualified status, clinical hours worked by*
36 *the applicant, number of patients treated, specific treatment*
37 *rendered and its value, and patient's payer source.*

38 (b) *The board, in selecting a participant for the program, shall*
39 *give priority consideration to an applicant who is best suited to*
40 *meet the cultural and linguistic needs and demands of dentally*

1 *underserved populations by demonstrating experience in one or*
2 *more of the following areas:*

3 *(1) Speaks one or more Medi-Cal threshold languages.*

4 *(2) Comes from an economically disadvantaged background*
5 *with economic, social, or other circumstances.*

6 *(3) Has worked in a health field in an underserved area or with*
7 *an underserved population.*

8 *(4) Is a dentist specialist recognized by the American Dental*
9 *Association or has met all eligibility requirements to graduate*
10 *from a dental specialty residency program approved by the*
11 *Commission on Dental Accreditation.*

12 *(5) Has completed an extramural program or rotation during*
13 *dental school or postgraduate education in which the applicant*
14 *provided services to a population that speaks any Medi-Cal*
15 *threshold language.*

16 *(c) The practice setting shall meet one or both of the following*
17 *criteria:*

18 *(1) The practice setting shall be located in a dentally*
19 *underserved area.*

20 *(2) The practice setting shall ensure that the program*
21 *participant serves a patient population that consists of at least 50*
22 *percent dentally underserved populations.*

23 *(d) A program applicant shall be working in, or have a signed*
24 *agreement for future employment with, an eligible practice setting.*
25 *The program participant shall be employed on a full-time basis.*
26 *“Full-time basis” means 30 hours of clinical hands-on care per*
27 *week, for no less than 45 weeks per year, except as provided for*
28 *during customary holidays, personal or family illness, and vacation*
29 *time as described in a separate employment agreement between*
30 *the recipient and the practice setting. Upon 30-day notice to the*
31 *board, the board shall grant an extended leave of absence period*
32 *for serious illness, pregnancy, or other natural cause. The board*
33 *may establish other exemptions to the minimum time requirements*
34 *of this subdivision on a case-by-case basis.*

35 *(e) A program participant shall commit to a minimum of three*
36 *years of service in one or more eligible practice settings. Loan*
37 *repayment shall be deferred until the dentist is employed on a*
38 *full-time basis.*

1 (f) The board may coordinate with local and statewide trade
2 and professional dental organizations, as well as educational
3 institutions, for outreach to potentially eligible applicants.

4 (g) The board may terminate the applicant's participation in
5 the program for cause. Cause for termination shall include the
6 following:

7 (1) Recipient's termination of full-time, qualified employment.

8 (2) Recipient's failure to maintain his or her professional license
9 in good standing.

10 (3) Recipient's failure to comply with any other term or
11 condition of this article.

12 (h) If the board terminates a recipient's participation for cause
13 at any time during the 36-month period of the program, the board
14 may require the recipient to repay the total amount of loans or
15 grants disbursed in their name plus 10 percent interest within a
16 maximum period of seven years.

17 SEC. 8. Section 1973 of the Business and Professions Code is
18 amended to read:

19 1973. (a) The Dentally Underserved Account is hereby created
20 in the State Dentistry Fund.

21 (b) The sum of three million dollars (\$3,000,000) is hereby
22 authorized to be expended from the State Dentistry Fund on this
23 program. These moneys are appropriated as follows:

24 (1) One million dollars (\$1,000,000) shall be transferred from
25 the ~~State Dentistry Fund fund~~ to the ~~Dentally Underserved Account~~
26 ~~account~~ on July 1, 2003. Of this amount, sixty-five thousand dollars
27 (\$65,000) shall be used by the ~~Dental Board of California board~~
28 in the 2003–04 fiscal year for operating expenses necessary to
29 manage this program.

30 (2) One million dollars (\$1,000,000) shall be transferred from
31 the ~~State Dentistry Fund fund~~ to the ~~Dentally Underserved Account~~
32 ~~account~~ on July 1, 2004. Of this amount, sixty-five thousand dollars
33 (\$65,000) shall be used by the ~~Dental Board of California board~~
34 in the 2004–05 fiscal year for operating expenses necessary to
35 manage this program.

36 (3) One million dollars (\$1,000,000) shall be transferred from
37 the ~~State Dentistry Fund fund~~ to the ~~Dentally Underserved Account~~
38 ~~account~~ on July 1, 2005. Of this amount, sixty-five thousand dollars
39 (\$65,000) shall be used by the ~~Dental Board of California board~~

1 in the 2005–06 fiscal year for operating expenses necessary to
2 manage this program.

3 (c) Funds placed into the ~~Dentally Underserved Account~~ *account*
4 shall be used by the board to repay the loans per agreements made
5 with dentists.

6 (1) Funds paid out for loan repayment may have a funding match
7 from foundation or other private sources.

8 (2) Loan repayments ~~may~~ *shall* not exceed one hundred five
9 thousand dollars (\$105,000) per individual licensed dentist.

10 (3) Loan repayments ~~may~~ *shall* not exceed the amount of the
11 educational loans incurred by the dentist applicant.

12 (d) Notwithstanding Section 11005 of the Government Code,
13 the board may seek and receive matching funds from foundations
14 and private sources to be placed into the ~~Dentally Underserved~~
15 ~~Account.~~ *account*. The board also may contract with an exempt
16 foundation for the receipt of matching funds to be transferred to
17 the ~~Dentally Underserved Account~~ *account* for use by this program.

18 (e) Funds in the ~~Dentally Underserved Account~~ *account*
19 appropriated in subdivision (b) or received pursuant to subdivision
20 (d) are continuously appropriated for the repayment of loans per
21 agreements made between the board and the dentists.

22 (f) On or after July 1, 2010, the board shall extend the ~~California~~
23 ~~Dental Corps Loan Repayment Program of 2002~~ *program* and
24 distribute the money remaining in the account until all the moneys
25 in the account are expended. ~~Regulations that were adopted by the~~
26 ~~board for the purposes of the program shall apply.~~

27 *SEC. 9. Section 1975 of the Business and Professions Code is*
28 *repealed.*

29 ~~1975.~~ The terms of loan repayment granted under this article
30 shall be as follows:

31 (a) ~~After a program participant has completed one year of~~
32 ~~providing services as a dentist in a dentally underserved area, the~~
33 ~~board shall provide up to twenty-five thousand dollars (\$25,000)~~
34 ~~for loan repayment.~~

35 (b) ~~After a program participant has completed two consecutive~~
36 ~~years of providing services as a dentist in a dentally underserved~~
37 ~~area, the board shall provide up to an additional thirty-five thousand~~
38 ~~dollars (\$35,000) of loan repayment, for a total loan repayment of~~
39 ~~up to sixty thousand dollars (\$60,000).~~

1 ~~(e) After a program participant has completed three consecutive~~
2 ~~years of providing services as a dentist in a dentally underserved~~
3 ~~area, the board shall provide up to a maximum of an additional~~
4 ~~forty-five thousand dollars (\$45,000) of loan repayment, for a total~~
5 ~~loan repayment of up to one hundred five thousand dollars~~
6 ~~(\$105,000).~~

7 *SEC. 10. Section 1975 is added to the Business and Professions*
8 *Code, to read:*

9 *1975. The terms of loan repayment granted under this article*
10 *shall be as follows:*

11 *(a) After a program participant has been selected by the board*
12 *to provide services as a dentist in the program, the board shall*
13 *provide thirty-five thousand dollars (\$35,000) for loan repayment*
14 *annually, for three years, to reach a total of one hundred five*
15 *thousand dollars (\$105,000), or the total amount of the loan,*
16 *whichever is the lesser amount.*

17 *(b) The initial disbursement of funds shall be made within 30*
18 *days from execution of a program agreement between the board*
19 *and the recipient directly from the board to the qualified lender*
20 *selected by the recipient, to be credited to the recipient's account.*

21 *(c) Subsequent disbursements in sums equal to the initial*
22 *disbursement, but not equaling more than the total amount owed*
23 *by the recipient, shall be made within 30 days of months 13 and*
24 *25 of the recipient's participation in the program.*

25 *SEC. 11. Section 1976 of the Business and Professions Code*
26 *is amended to read:*

27 ~~1976. (a) On January 1, 2003, applications from dentists for~~
28 ~~program participation may be submitted.~~

29 ~~(b)~~

30 *1976. (a) The board shall report to the Legislature, no later*
31 *than October 1, 2004, during its sunset review period, the*
32 *experience of the program since its inception, an evaluation of its*
33 *effectiveness in improving access to dental care for underserved*
34 *populations, and recommendations for maintaining or expanding*
35 *its operation. The report to the Legislature shall also include the*
36 *following:*

37 *(1) The number of the program participants.*

38 *(2) The practice locations.*

39 *(3) The amount expended for the program.*

(4) The information on annual ~~performance reviews~~ *progress reports* by ~~practice settings and~~ program participants.

~~(e) The board may promulgate emergency regulations to implement the program.~~

(b) The report to the Legislature pursuant to subdivision (a) shall be submitted in compliance with Section 9795 of the Government Code.

(c) Pursuant to Section 10231.5 of the Government Code, this section is repealed on January, 1, 2021.

SEC. 12. No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution because the only costs that may be incurred by a local agency or school district will be incurred because this act creates a new crime or infraction, eliminates a crime or infraction, or changes the penalty for a crime or infraction, within the meaning of Section 17556 of the Government Code, or changes the definition of a crime within the meaning of Section 6 of Article XIII B of the California Constitution.

~~SECTION 1. The Legislature hereby finds and declares all of the following:~~

~~(a) An adequate supply of dentists is critical to assuring the health and well-being of California residents, particularly those who live in medically underserved areas.~~

~~(b) It is in the best interest of the state and its residents that dental services be provided throughout the state in a manner that can be effectively accessed by the residents of all communities.~~

~~(c) The Dental Board of California has established the California Dental Corps Loan Repayment Program of 2002 to improve access to dental care for underserved populations.~~

~~(d) The Health Professions Education Foundation, established in 1987, is the state's only nonprofit foundation statutorily created to encourage persons from underserved communities to become health professionals and increase access to health providers in medically underserved areas.~~

~~(e) The foundation improves access to health care in underserved areas by providing scholarships, loan repayments, and programs to health professional students and graduates who are dedicated to providing direct patient care in those areas.~~

~~(f) It is the intent of the Legislature to move the California Dental Corps Loan Repayment Program of 2002 from the Dental~~

1 Board of California to the Health Professions Education Foundation
2 within the Office of Statewide Health Planning and Development.

3 SEC. 2. ~~Article 9.5 (commencing with Section 1970) of Chapter~~
4 ~~4 of Division 2 of the Business and Professions Code is repealed.~~

5 SEC. 3. ~~Section 128345 of the Health and Safety Code is~~
6 ~~amended to read:~~

7 ~~128345. The Health Professions Education Foundation may~~
8 ~~do any of the following:~~

9 ~~(a) Solicit and receive funds from business, industry,~~
10 ~~foundations, and other private or public sources for the purpose~~
11 ~~of providing financial assistance in the form of scholarships or~~
12 ~~loans to African-American students, Native American students,~~
13 ~~Hispanic-American students, and other students from~~
14 ~~underrepresented groups. These funds shall be expended by the~~
15 ~~office after transfer to the Health Professions Education Fund,~~
16 ~~created pursuant to Section 128355.~~

17 ~~(b) Recommend to the director the disbursement of private~~
18 ~~sector moneys deposited in the Health Professions Education Fund~~
19 ~~to students from underrepresented groups accepted to or enrolled~~
20 ~~in schools of medicine, dentistry, nursing, or other health~~
21 ~~professions in the form of loans or scholarships.~~

22 ~~(c) Recommend to the director a standard contractual agreement~~
23 ~~to be signed by the director and any participating student, that~~
24 ~~would require a period of obligated professional service in the~~
25 ~~areas in California designated by the commission as deficient in~~
26 ~~primary care services. The agreement shall include a clause~~
27 ~~entitling the state to recover the funds awarded plus the maximum~~
28 ~~allowable interest for failure to begin or complete the service~~
29 ~~obligation.~~

30 ~~(d) Develop criteria for evaluating the likelihood that applicants~~
31 ~~for scholarships or loans would remain to practice their profession~~
32 ~~in designated areas deficient in primary care services.~~

33 ~~(e) Develop application forms, which shall be disseminated to~~
34 ~~students from underrepresented groups interested in applying for~~
35 ~~scholarships or loans.~~

36 ~~(f) Encourage private sector institutions, including hospitals,~~
37 ~~community clinics, and other health agencies to identify and~~
38 ~~provide educational experiences to students from underrepresented~~
39 ~~groups who are potential applicants to schools of medicine,~~
40 ~~dentistry, nursing, or other health professions.~~

~~(g) Prepare and submit an annual report to the office documenting the amount of money solicited from the private sector, the number of scholarships and loans awarded, the enrollment levels of students from underrepresented groups in schools of medicine, dentistry, nursing, and other health professions, and the projected need for scholarships and loans in the future.~~

~~(h) Recommend to the director that a portion of the funds solicited from the private sector be used for the administrative requirements of the foundation.~~

~~(i) Implement the Steven M. Thompson Physician Corps Loan Repayment Program and the Volunteer Physician Program, as provided under Article 5 (commencing with Section 128550).~~

~~(j) Implement the California Dental Corps Loan Repayment Program, as provided under Article 7 (commencing with Section 128587) of Chapter 5 of Part 3 of Division 107.~~

~~SEC. 4. Article 7 (commencing with Section 128587) is added to Chapter 5 of Part 3 of Division 107 of the Health and Safety Code, to read:~~

~~Article 7. California Dental Corps Loan Repayment Program~~

~~128587. (a) There is hereby established the California Dental Corps Loan Repayment Program within the Health Professions Education Foundation within the Office of Statewide Health Planning and Development.~~

~~(b) It is the intent of the Legislature in enacting this article that the foundation and the office provide the ongoing program management for the program.~~

~~128587.2. For purposes of this article, the following definitions apply:~~

~~(a) "Account" means the Dentally Underserved Account, which is contained within the fund.~~

~~(b) "Board" means the Dental Board of California.~~

~~(c) "Dentally underserved area" means a geographic area eligible to be designated as having a shortage of dental professionals pursuant to Part I of Appendix B to Part 5 of Chapter 1 of Title 42 of the Code of Federal Regulations or an area of the state in which unmet priority needs for dentists exist as determined by the California Healthcare Workforce Policy Commission pursuant to Section 128224.~~

1 (d) ~~“Dentally underserved population” means persons without~~
2 ~~dental insurance and persons eligible for Denti-Cal who are~~
3 ~~population groups described as having a shortage of dental care~~
4 ~~professionals in Part I of Appendix B to Part 5 of Chapter 1 of~~
5 ~~Title 42 of the Code of Federal Regulations.~~

6 (e) ~~“Fund” means the State Dentistry Fund.~~

7 (f) ~~“Medi-Cal threshold languages” means primary languages~~
8 ~~spoken by limited-English-proficient (LEP) population groups~~
9 ~~meeting a numeric threshold of 3,000, eligible LEP Medi-Cal~~
10 ~~beneficiaries residing in a county, 1,000 Medi-Cal eligible LEP~~
11 ~~beneficiaries residing in a single ZIP Code, or 1,500 LEP Medi-Cal~~
12 ~~beneficiaries residing in two contiguous ZIP Codes.~~

13 (g) ~~“Office” means the Office of Statewide Health Planning and~~
14 ~~Development.~~

15 (h) ~~“Program” means the California Dental Corps Loan~~
16 ~~Repayment Program.~~

17 (i) ~~“Practice setting” means either of the following:~~

18 (1) ~~A community clinic, as defined in subdivision (a) of Section~~
19 ~~1204 and subdivision (c) of Section 1206, a clinic owned or~~
20 ~~operated by a public hospital and health system, or a clinic owned~~
21 ~~and operated by a hospital that maintains the primary contract with~~
22 ~~a county government to fulfill the county’s role pursuant to Section~~
23 ~~17000 of the Welfare and Institutions Code, which is located in a~~
24 ~~dentally underserved area.~~

25 (2) ~~A dental practice or dental corporation, as defined in Section~~
26 ~~1800 of the Business and Professions Code, located in a dentally~~
27 ~~underserved area or at least 50 percent of whose patients are from~~
28 ~~a dentally underserved population.~~

29 ~~128587.4. (a) A program applicant shall possess a current~~
30 ~~valid license to practice dentistry in this state issued by the board~~
31 ~~pursuant to Section 1626 of the Business and Professions Code,~~
32 ~~or be currently eligible for graduation from a pre- or postdoctoral~~
33 ~~dental education program approved by the board or the~~
34 ~~Commission on Dental Accreditation and meet all criteria for~~
35 ~~licensure subject to successful completion of applicable education~~
36 ~~and examination requirements.~~

37 (b) ~~The foundation shall develop the guidelines for selection~~
38 ~~and placement of applicants.~~

39 (1) ~~The guidelines shall provide priority consideration to~~
40 ~~applicants who are best suited to meet the cultural and linguistic~~

1 needs and demands of dentally underserved populations and who
2 meet one or more of the following criteria:

3 (A) Speak a Medi-Cal threshold language.

4 (B) Come from an economically disadvantaged background.

5 (C) Have received significant training in cultural and
6 linguistically appropriate service delivery.

7 (D) Have worked in a health field in an underserved area or
8 with an underserved population.

9 (E) Recently received a license to practice dentistry.

10 (F) Have received an offer for employment from a practice
11 setting.

12 (2) The guidelines shall include a process for determining the
13 needs for dental services identified by the practice setting. At a
14 minimum, the practice setting shall be located in a dentally
15 underserved area.

16 (3) The guidelines shall seek to place the most qualified
17 applicants under this section in the areas with the greatest need.

18 (e) A program applicant shall be working in, or have a signed
19 agreement with, an eligible practice setting. The program
20 participant shall be employed on a full-time basis. Full-time basis
21 shall be defined by the foundation, and the foundation may
22 establish exemptions to this requirement on a case-by-case basis.

23 (d) A program participant shall commit to a minimum of three
24 years of service in one or more practice settings. The foundation
25 shall develop the process for determining the maximum length of
26 an absence and the process for reinstatement of a participant. Loan
27 repayment shall be deferred until the dentist is employed on a
28 full-time basis.

29 (e) The foundation shall develop a process to use if a dentist is
30 not able to complete his or her three-year obligation.

31 (f) The foundation shall develop a process for outreach to
32 potentially eligible applicants.

33 (g) The foundation may adopt any other standards of eligibility,
34 placement, and termination appropriate to achieve the aim of
35 providing competent dental services in these approved practice
36 settings.

37 128587.6 (a) The Dentally Underserved Account, formerly
38 established pursuant to subdivision (a) of Section 1973 of the
39 Business and Professions Code, in the State Dentistry Fund in the
40 Professions and Vocations Fund in the State Treasury is hereby

renamed the Dental Corps Loan Repayment Account and established by this section in the State Dentistry Fund.

(b) (1) Funds placed in the account shall be available upon appropriation by the Legislature.

(2) Funds in the account shall be used by the foundation to repay the loans per agreements made with dentists.

(3) Funds paid out for loan repayment may have a funding match from foundations or other private sources.

(4) Loan repayments shall not exceed a total of one hundred five thousand dollars (\$105,000) per individual licensed dentist.

(5) Notwithstanding Section 11005 of the Government Code, the foundation may seek and receive funds from foundations and private sources to be placed into the account.

128587.8. The terms of loan repayment granted under this article shall be as follows:

(a) After a program participant has completed six months of providing services on a full-time basis in a practice setting, the foundation shall provide up to thirty-five thousand dollars (\$35,000) for loan repayment.

(b) After a program participant has completed 18 consecutive months of providing services on a full-time basis in a practice setting, the foundation shall provide up to an additional thirty-five thousand dollars (\$35,000) of loan repayment, for a total loan repayment of up to seventy thousand dollars (\$70,000).

(c) After a program participant has completed 30 consecutive months of providing services on a full-time basis in a practice setting, the foundation shall provide up to a maximum of thirty-five thousand dollars (\$35,000) of loan repayment, for a total loan repayment of up to one hundred five thousand dollars (\$105,000); but not to exceed the total outstanding amount of the loan.

128587.9. (a) On or before July 1, 2018, the foundation shall submit a report to the board and the Legislature regarding the experience of the program, an evaluation of its effectiveness in improving access to dental care for underserved populations, and recommendations for maintaining or expanding its operation, including, but not limited to, all of the following:

(1) Number of program participants.

(2) Practice locations.

(3) Amount of funds expended.

- 1 ~~(4) The information on annual performance reviews by practice~~
2 ~~settings and program participants.~~
3 ~~(b) The report to the Legislature pursuant to subdivision (a)~~
4 ~~shall be submitted in compliance with Section 9795 of the~~
5 ~~Government Code.~~
6 ~~(e) Pursuant to Section 10231.5 of the Government Code, this~~
7 ~~section is repealed on July 1, 2022.~~